



**National Association of Judiciary Interpreters
& Translators**

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March 24, 2010

Representative Bill Harmon
Chair
House Transportation Committee
301 6th Avenue North
Suite 24 Legislative Plaza
Nashville, TN 37243

Senator Jim Tracy
Chair
Senate Transportation Committee
301 6th Avenue North
Suite 2 Legislative Plaza
Nashville, TN 37243

RE: NAJIT/TAPIT Letter to the Senate and House Transportation Committees in Opposition to HB262/SB 63

Dear Chair Harmon and Chair Tracy:

On behalf of the National Association of Judiciary Interpreters and Translators (NAJIT) and the Tennessee Association of Professional Interpreters and Translators (TAPIT), we write in opposition to House Bill 262/Senate Bill 63.

NAJIT is the largest judiciary interpreting and translating association in the world. Founded in 1979, NAJIT is an organization whose members work to bridge the language gap in state and federal courthouses, law enforcement settings and in a variety of other legal and quasi-legal venues across the country. Our chief purpose is to promote professional standards of performance and integrity and to assist all entities in the administration of justice.

TAPIT, a NAJIT organizational member, strives to bring together interpreters and translators in the state of Tennessee in order to foster the highest level of ethical and professional standards in the field.

We strongly oppose House Bill 262/Senate Bill 63. Although the bill is well-intentioned, it is misguided, dangerous and overly simplistic. It will not make our roadways safer, it will not force individuals to learn English more rapidly, and it will ultimately cost the taxpayers of Tennessee much more than it will save the Department of Safety in printing costs.

- This Bill is misguided. As organizations whose members are in court on a daily basis, we know firsthand that the inability to obtain a driver license does not prevent individuals from driving. This is particularly true in regions with little or no public transportation. The courts in Tennessee are already overworked, rightfully handling thousands of cases involving individuals who drive without a driver license in violation of existing laws. We believe that this Bill, if enacted, will result in otherwise law-abiding individuals being wrongfully added to that multitude, increasing an already crushing caseload and costing local counties thousands of dollars in additional expenses.

- This Bill is dangerous. It will not make our roads safer; it will make them more dangerous by increasing the pool of unlicensed drivers who are uneducated in the rules of the road. The argument that individuals who study and learn the traffic laws in a foreign language and pass both the written test and the road test are somehow more dangerous than drivers who are completely unable to study or learn those rules flies in the face of reason. The expectation that individuals whose limited English proficiency prevents them from passing the written test will not drive flies in the face of reality.
- This Bill is overly simplistic. It will have no bearing on how quickly individuals targeted by this law will learn English and ignores the rich multi-lingual, multi-cultural history of our nation. In the end, this measure, if adopted, will be infinitely more costly than the current expenditure for multilingual forms utilized by the Department of Safety.

Almost as troubling as the measure itself is the fact that the amount of money being spent for interpreter services in General Sessions courts throughout the state is also being called into question by Representative Watson. We would like to make clear that English-only laws serve to deny equal protection and due process. In the legal setting, laws that have the effect of eliminating courtroom interpretation and translation jeopardize the ability of limited English proficient people involved in both civil and criminal proceedings to express themselves accurately and to fully comprehend the process. These people are not only defendants, but witnesses, landlords and tenants, parties to contract disputes, adoptive families – in short, the same range of participants in the legal system as those whose native language is English. When communication is impaired, cases are often dismissed, wrongly decided, or overturned, creating an unfair system for limited-English speakers and English speakers alike. The failure to offer constitutionally guaranteed equal access to the courts affects all stakeholders.

This measure, if adopted, may be found to violate federal law. We refer you specifically to Title VI of the Civil Rights Act of 1964 and Executive Order #13166. In addition to working through the significant inefficiencies and confusion caused by this measure, the expenses involved in defending this pointless initiative will result in an additional cost to the taxpayers of Tennessee. While this costly proposal may appeal to the insecurities and fears of some among us, it will only serve to make Tennessee less safe, less welcoming, less efficient and even less fiscally solvent.

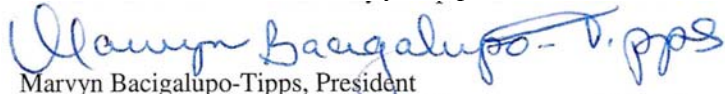
We in NAJIT and TAPIT work daily with speakers of other languages, and we know that most of them have a strong and sincere desire to communicate in English. They do not willfully avoid speaking English out of stubbornness or spite; they recognize the value of being able to converse with the broader society in its own language. It is unfortunate that those pushing for this divisive measure have not focused their energies on creating better facilities and opportunities for learning English or on finding other areas where government is inefficiently utilizing taxpayer dollars.

We strongly oppose House Bill 262/Senate Bill 63.

Sincerely,



Rosemary W. Dann, Esq., Chair
National Association of Judiciary Interpreters and Translators



Marvyn Bacigalupo-Tipps, President
Tennessee Association of Professional Interpreters and Translators

cc: House Transportation Committee Members
Senate Transportation Committee Members